

REMARKS

In accordance with the foregoing, claims 1-3 and 5-13 have been amended. Claims 15-42 have been added. Claims 1-42 are pending and under consideration.

In the Office Action mailed August 24, 2005, claims 1-14 were rejected under 35 U.S.C. 112(2) as being indefinite and for omitting essential structural cooperative relationships of elements; claims 1-12 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter; claims 2 and 9-11 were rejected under 35 U.S.C. 102(b) as being anticipated by Evans (U.S. Patent No. 5,924,074); claims 1 and 3-8 were rejected under 35 U.S.C. 103 as being unpatentable over Evans in view of the Applicant's Background of the Invention; claim 12 was rejected under 35 U.S.C. 103 as being unpatentable over Evans in view of Swanson (U.S. Patent No. 6,112,183); and claims 13 and 14 were rejected under 35 U.S.C. 103 as being unpatentable over Evans and Swanson, and further in view of Haudenschild (U.S. Patent No. 6,665,647). The foregoing rejections are respectfully traversed.

Claim 2 is amended to depend from claim 1.

New claims 15-28 are method claims corresponding to apparatus claims 1-14, and new claims 29-42 are computer-readable medium claims corresponding to apparatus claims 1-14.

Rejections under 35 U.S.C. 112(2) for Indefiniteness

Claim 8 is amended to overcome these rejections.

Rejections under 35 U.S.C. 112(2) for Incompleteness

Claim 1 is amended to overcome these rejections. Claims 2-14 depend from claim 1.

Rejections under 35 U.S.C. 101 as Non-statutory

Claim 1 is amended to overcome these rejections. Claims 2-13 depend from claim 1. It is respectfully submitted that new claims 15-42 recite statutory subject matter.

Rejections under 35 U.S.C 102 and 103

Evans discusses an electronic medical records system that creates and maintains all patient data electronically.

The Admitted Prior Art discusses a master control file used with the WINDOWS operating system and the WINDOWS NT operating system.

Swanson discusses a method and apparatus for processing health care transactions through a common interface in a distributed computing environment using specialized remote procedure calls.

Haudenschild discusses an enterprise healthcare management system and method, which includes remotely hosting turnkey health care applications.

However, none of the foregoing references, either alone or in combination, discusses or suggests (as recited in apparatus claim 1 of the present application) a computer system executing portability software including a "master control file controlling interoperability of a medical records system between computer platforms including a personal computer, a hand-held device, and a network", the master control file including "access and mapping information between a database of text and image data and the medical records system", with the portability enabling software arranged to "maintain the database, to populate and maintain the text data, and to capture, populate, maintain, and retrieve the image data in medical record modality formats and in multi-media formats", the apparatus "capturing patient episode data into a secure file, transmitting the secure file as an e-mail attachment, retrieving the patient episode data from the secure file and storing the patient episode data in the medical records system".

Similar features are recited in corresponding method claim 15 and in corresponding computer-readable medium claim 29, of the present application.

Claims 2-14 depend, either directly or indirectly, from claim 1 and recite patentably distinguishing features of their own. For example, claim 12 recites that the apparatus "captures, compresses, encrypts, and encapsulates patient episode data into the secure file".

Corresponding method claims 16-28, and corresponding computer-readable medium claims 30-42 also recite patentably distinguishing features of their own.

Withdrawal of the rejections of claims 1-14, and allowance of new claims 15-42, over the foregoing references, is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


Serial No. 09/853,703

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Feb. 24, 2006

By: 
Gene M. Garner II
Registration No. 34,172

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501